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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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12 ROSE HUGHES,
13 Plaintiff,
14 v.
15 WELLS FARGO BANK,
16 Defendant.
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18 Case No.: 13-cv-00499 JSC

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28 **ORDER REASSIGNING CASE AND
REPORT AND RECOMMENDATION
TO DISMISS**

Now pending before the Court is Defendant's Motion to Dismiss, filed February 8, 2013. (Dkt. No. 6.) Plaintiff has not filed an Opposition or Statement of Nonopposition to the Motion to Dismiss, as required by Local Rule 7-3(b). On March 13, 2013, the Court accordingly ordered Plaintiff to show cause as to why this action should not be dismissed for failure to prosecute. (Dkt. No. 15.) Plaintiff was required to respond to the Order and the Motion to Dismiss on or before March 27, 2013, and was warned that if no response was received, this action may be dismissed with prejudice. Plaintiff did not file any response and has not otherwise communicated with the Court.

As Plaintiff has neither consented to nor declined the undersigned magistrate judge's jurisdiction, the Clerk of the Court is ordered to reassign this action to a district court judge. Based on the foregoing, this Court RECOMMENDS that the newly assigned district judge DISMISS this action with prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

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2 **IT IS SO ORDERED.**
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4 Dated: April 2, 2013
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Jacqueline S. Corley
6 JACQUELINE SCOTT CORLEY
7 UNITED STATES MAGISTRATE JUDGE
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